

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Allegation of corruption against Sri Sheri Bhasker Reddy, Senior Assistant (I/c Superintendent) Office of the Medak District Consumer Forum at Sangareddy – Trap laid on 01-11-2011 – Sanction of Prosecution under the Prevention of Corruption Act, 1988 – Orders – Issued.

CONSUMER AFFAIRS, FOOD & CIVIL SUPPLIES (VS) DEPARTMENT

G.O.Ms.No. 19

Dated:24-04-2012

O R D E R:

Whereas, Sri Sheri Bhasker Reddy, S/o Shiva Reddy, worked as Senior Assistant (I/c Superintendent) in the Office of the Medak District Consumer Forum at Sangareddy from 07.02.1994 to 01.11.2011 as on the date of trap and as such, he falls under the category of public servant as defined under the section 2 © of the Prevention of Corruption Act, 1988 (Act,49 of 1988).

2. And whereas, Sri Thakur Rajkumar Singh S/o Late T. Deen Dayal Singh is the General Secretary of the NGO namely Human Rights & Consumer Protection Cell and he is the resident of R/o BHEL, MIG 982, Serilingampally, Hyderabad.

3. And whereas, Sri Thakur Rajkumar Singh gave a complaint stating that he is the General Secretary of the NGO namely, Human Rights & Consumer protection Cell - BHEL, MIG Residents Welfare Society (Registered by Government of Andhra Pradesh) and they receive complaints from general public regarding human Rights violations, consumer disputes and other matters and upon receiving such complaints, they render necessary help to the public by filling complaints and representing them before the Human Rights Commission and Consumer Forum and they have been providing services since the year 2004. On 17-02-2011, he received a complaint from one Dr. A.N.Rajan R/o G-2, Simhapuri Residency, Mayuri Nagar, Beeramguda, Ameenpur Village, Patancheru, Medak district, stating that his son-in-law Mr. Swaroop Antoo who is the resident of U.S.A. had bought 2 flats in Dwarakamai Homes from one M. Ramesh Babu (Builder) in M/s Dwarakamai Constructions in the year 2008 and he paid an amount of Rs. 21 lakhs to the builder and got the 2 flats registered in his name. Dr. A.N. Rajan is the GPA holder of his son-in-law Mr. Swaroop Antoo and as such he represented him in the whole transactions. He further stated that even though he paid the complete amount, the builder was reluctant to complete the flat. Upon this, Sri Thakur Rajkumar Singh took his authorization and filed a complaint before the Medak District Consumer Forum at Sangareddy which was numbered as CC No. 42/2011. On 26-09-2011, while Sri Thakur Rajkumar Singh was in Delhi his Co-Activist Kum. Ch. Uma Karuna informed him that Sri S. Bhasker Reddy, I/c Superintendent, Medak District Consumer Forum asked him to contact him urgently. When he contacted Sri. S. Bhasker Reddy on his cell phone, he instructed him to come to the Forum at Sangareddy along with the paper publication petition, which was to be submitted, on 21-09-2011. The petition was not submitted as the Forum was boycotted by the Advocates and upon the request of Sri Thakur Rajkumar Singh, the case was posted to 11-10-2011. Sri Thakur Rajkumar Singh hurriedly rushed back to Hyderabad on 26-09-2011 and on 27-09-2011 he went to the Consumer Forum at Sangareddy and met Sri S. Bhasker Reddy. Sri. S. Bhasker Reddy, Superintendent, Medak District Consumer Forum, took the paper publication petition from Sri Thakur Rajkumar Singh and told him that he would help him in getting a favourable order in the said case, if he paid a bribe of Rs. 25,000/-. Sri S. Bhasker Reddy stated that out of this amount, he would give Rs. 10,000/- each to the two members and take Rs.5,000/- for himself. Sri S. Bhasker Reddy further stated that both the members of the District Consumer Forum had asked him to make the above proposal to him. Sri S. Bhasker Reddy told Sri Thakur Rajkumar Singh that if he did

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not pay the said bribe amount, the case would be dismissed. Further Sri S. Bhasker Reddy asked him to urgently prepare the chief affidavit, mark the documents and submit arguments on the very next day itself. Sri S. Bhasker Reddy stated that the reason for urgency was that the President of the Forum was on leave and if he returned from leave, he would not be able to get a favorable order. On 28-09-2011, Sri Thakur Rajkumar Singh went to the District Consumer Forum at Sangareddy and submitted the chief affidavit of Dr. A.N.Rajan, marked the documents on the same day, submitted his adoption memo and argued the matter before the members on the same day. Sri. S. Bhasker Reddy further asked Sri Thakur Rajkumar Singh, to prepare a copy of the order by himself and hand it over to him so that the order could be issued on the same lines by the forum. Sri. S. Bhasker Reddy also told Sri Thakur Rajkumar Singh, that the members of the forum gave him the liberty to ask him to prepare an order as per his wish and as such, he demanded to pay Rs 25,000/- for getting favorable order. On 21-10-2011, Sri Thakur Rajkumar Singh, got a draft order prepared and handed over the draft order to Sri S. Bhasker Reddy, who took the draft order and again demanded to pay Rs. 25,000/-. When Sri Thakur Rajkumar Singh, told Sri S. Bhasker Reddy that he can not pay the amount since the case pertained to Dr. A.N. Rajan, Sri. S. Bhasker Reddy once again stated that if he did not give him Rs 25,000/-, his case would be dismissed. Again on 29-10-2011 at about 4.00 PM Sri S. Bhasker Reddy called Sri Thakur Rajkumar Singh over his mobile phone and demanded to pay Rs 25,000/- otherwise his case would be dismissed. When Sri Thakur Rajkumar Singh expressed his inability, Sri S. Bhasker Reddy insisted to pay the bribe amount to him. When Sri Thakur Rajkumar Singh pleaded, Sri S. Bhasker Reddy asked him to pay Rs. 5,000/- as soon the order in favour of Dr. A.N. Rajan was pronounced and to pay the remaining amount of Rs. 20,000/- at the time of giving the complete final order.

4. . And whereas, Sri Thakur Rajkumar Singh, who was not willing to pay the bribe of Rs.5,000/- to Sri S., Bhasker Reddy, Senior Assistant (I/c Superintendent), approached the Joint Director, ACB, CIU, Hyderabad and lodged a complaint against him on 29-10-2011 at 06.00 PM. The Joint Director, CIU, ACB entrusted the said complaint to Sri T. Raghupathi Goud, DY. Suptd. of Police, CIU, Anti Corruption Bureau, Hyderabad for verification and necessary action. After causing enquiries about the genuineness of the complaint and reputation of Sri S. Bhasker Reddy, Senior Assistant (I/c. Superintendent), the DSP (CIU) registered a case in Cr. No. 27/ACB-CIU/2011 u/s 7 of the Prevention of Corruption Act, 1988 on 01-11-2011 and took up investigation.

5. And whereas, it is further alleged that a trap was arranged on 01.11.2011. At about 3.00 PM when Sri Thakur Rajkumar Singh met Sri S. Bhasker Reddy, I/c Superintendent at the District Consumer Forum Medak at Sangareddy, Sri S. Bhasker Reddy offered the seat and then took out the diary-2011 Register and showed the orders of the Forum pronounced on 31-10-2011. Then Sri S. Bhasker Reddy got up and took Sri Thakur Rajkumar Singh out to the office and led him to the small tea stall located in front of the District Consumer Forum. Sri S. Bhasker Reddy demanded and accepted the bribe amount of Rs. 5,000/- from Sri Thakur Rajkumar Singh with his right hand fingers and then kept the bribe amount in his left side pocket of his wearing shirt. After receiving the bribe amount Sri S. Bhasker Reddy enquired about the remaining bribe amount of Rs. 20,000/- upon which, Sri Thakur Rajkumar Singh promised to give the said amount on receipt of order copy. The phenolphthalein test conducted on both hand fingers of Sri S. Bhasker Reddy proved positive and the tainted amount of Rs 5,000/- was recovered the instance of Sri S. Bhasker Reddy from his left side pocket of his wearing shirt. When the cotton swab was rubbed

on the inner flap of left side shirt pocket diary and subjected to phenolphthalein test, it also yielded positive result. The DSP, CIU, ACB seized the tainted currency notes, Rs. 5,000/- and material objects duly attested by the mediators.

6. And whereas, the above said acts of Sri Sheri Bhasker Reddy, Senior Assistant (I/C Superintendent) constitute offences punishable under sections 7, 8,9 and 13(2) read with section 13(1) (d) of the Prevention of Corruption Act, 1988(Act, 49 of 1988).

7. And whereas, the Government of Andhra Pradesh, being the Competent Authority to remove Sri Sheri Bhasker Reddy, Senior Assistant (I/C Superintendent), Office of the Medak District Consumer Forum at Sangareddy from service, after fully and carefully examining the material i.e., FIR, Pre-trap and post trap proceedings and final report of the ACB, placed before them in respect of the said allegation and having regard to the facts and circumstances of the case, consider that Sri Sheri Bhasker Reddy, Senior Assistant (I/C Superintendent) Office of the Medak District Consumer Forum at Sangareddy should be prosecuted in a competent court of law.

8. Now, therefore, in exercise of the powers conferred by clause (b) of sub-section (1) of section 19 of the Prevention of Corruption Act, 1988 (Act, 49 of 1988), the Government of Andhra Pradesh hereby accord sanction for the prosecution of Sri Sheri Bhasker Reddy, Senior Assistant (I/C Superintendent) Office of the Medak District Consumer Forum at Sangareddy for the above said offences punishable under sections 7,8,9 and subsection (2) of section 13 read with clause (d) of sub-section (1) of section 13 of the Prevention of Corruption Act, 1988 (Act, 49 of 1988) and for any other cognate offences punishable under any other provisions of law for the time being in force in respect of the said acts and for taking cognizance of the said offences by a court of competent jurisdiction.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

HARPREET SINGH,
E.O.SECRETARY TO GOVERNMENT.

To
The Director General,
Anti Corruption Bureau,
A.P. Hyderabad